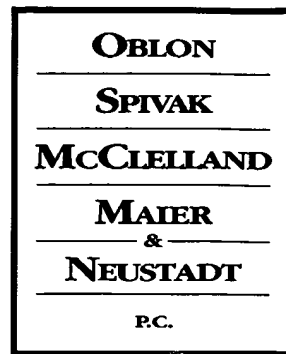




2622



Docket No.: 197632US2

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

ATTORNEYS AT LAW

RE: Application Serial No.: 09/668,161
Applicants: Tomonori TANAKA
Filing Date: September 25, 2000
For: APPARATUS, METHOD AND COMPUTER
READABLE RECORDING MEDIUM FOR
PROCESSING IMAGE INFORMATION
Group Art Unit: 2622
Examiner: PARK, C.

RECEIVED

APR 23 2004

Technology Center 2600

SIR:

Attached hereto for filing are the following papers:

Response to Restriction Requirement

Our check in the amount of -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Gregory J. Maier

Registration No. 25,599

Customer Number

22850

(703) 413-3000 (phone)

(703) 413-2220 (fax)

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Surinder Sachar

Registration No. 34,423

DOCKET NO: 197632US2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

TOMONORI TANAKA

SERIAL NO: 09/668,161

FILED: SEPTEMBER 25, 2000

FOR: APPARATUS, METHOD AND
COMPUTER READABLE RECORDING
MEDIUM FOR PROCESSING IMAGE
INFORMATION

:

: EXAMINER: PARK, C.

:

: GROUP ART UNIT: 2622

:

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APR 23 2004

Technology Center 2600

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction requirement of January 23, 2004, applicants elect, with traverse, Group I. Claims 1-15, 18-20, 39-50, 53, 54, 56-66, and 69-90 are drawn to a memory device and retrieval of data to be presented, classified in class 358, subclass 1.16. Applicants reserve the right to file one or more divisional applications directed to the non-elected species.

Applicants traverse the outstanding Restriction requirement on the grounds that it has not been established that it be an undue burden to examine each of the noted inventions and claims together.

Under M.P.E.P. § 803, a restriction is not proper if a search and examination can be made without a serious burden on the Examiner, and the outstanding Restriction requirement has not established that examining each of the currently-pending claims together would result in an undue burden.

Adjustment date: 06/23/2004 EEKUBAY1
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K Davis
4-25-04
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420.00 DA

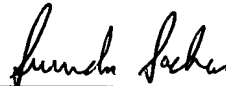
M.P.E.P. § 803 specifically states:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

The outstanding Restriction requirement has not established that each of the claims could be examined without an undue burden, and thus each of the noted inventions and claims should be examined on their merits.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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OSMM&N File No. 197632US2

Dept.: E/M

By: GJM/SS//SAE/cac

Serial No. 09/668,151

In the matter of the Application of: Tomonori TANAKA

For: APPARATUS, METHOD AND COMPUTER READABLE RECORDING
MEDIUM FOR PROCESSING IMAGE INFORMATION

Due Date: 04/23/04

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☒ Dep. Acct. Order Form
- ☒ Cover/Letter
- ☒ Response to Restriction Requirement

